



Sean J. Egan
212 Laurel Lane
Haverford, Pennsylvania 19041

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May 10, 2000

Assistant Commissioner for Patents
Patent and Trademark Office
Washington, DC 20231

Dear Sirs:

I hereby submit this application to make my application for a patent (applicant: Sean Egan, reference number 09/418184) special under section 708.02 paragraph d (see the attached regulation faxed to me by your office). Enclosed is a check for \$130. Please confirm the receipt of this letter; my office phone number is 610-642-2411.

Sincerely,


Sean J. Egan

05/16/2000 CVORACHA 00000099 09418184

01 FC:122

130.00 DP

Sean J. Egan
212 Laurel Lane
Haverford, Pennsylvania 19041

Response from USPTO
regarding Petition to Make Special

Sean J. Egan
212 Laurel Lane
Haverford, Pennsylvania 19041

Patent Application

Sean J. Egan
212 Laurel Lane
Haverford, Pennsylvania 19041

Class and Subclass Description

Sean J. Egan
212 Laurel Lane
Haverford, Pennsylvania 19041

More Complete Description of Relevant Patents

EXAMINATION OF APPLICATIONS

708.02

department of the Government requests immediate action and the Commissioner so orders (37 CFR 1.102).

(B) Applications made special as a result of a petition. (See MPEP § 708.02.)

Subject alone to diligent prosecution by the applicant, an application for patent that has once been made special and advanced out of turn for examination by reason of a ruling made in that particular case (by the Commissioner or an Assistant Commissioner) will continue to be special throughout its entire course of prosecution in the Patent and Trademark Office, including appeal, if any, to the Board of Patent Appeals and Interferences.

(C) Applications for reissues, particularly those involved in stayed litigation (37 CFR 1.176).

(D) Applications remanded by an appellate tribunal for further action.

(E) An application, once taken up for action by an examiner according to its effective filing date, should be treated as special by an examiner, art unit or group to which it may subsequently be transferred; exemplary situations include new cases transferred as the result of a telephone election and cases transferred as the result of a timely reply to any official action.

(F) Applications which appear to interfere with other applications previously considered and found to be allowable, or which will be placed in interference with an unexpired patent or patents.

(G) Applications ready for allowance, or ready for allowance except as to formal matters.

(H) Applications which are in condition for final rejection.

(I) Applications pending more than 5 years, including those which, by relation to a prior United States application, have an effective pendency of more than 5 years. See MPEP § 707.02(a).

(J) Reexamination proceedings, MPEP § 2261.

See also MPEP § 714.13, § 1207 and § 1309.

708.02 Petition To Make Special

37 CFR 1.102 Advancement of examination.

(a) Applications will not be advanced out of turn for examination or for further action except as provided by this part, or upon order of the Commissioner to expedite the business of the Office, or upon filing of a request under paragraph (b) of this section or upon filing a petition under paragraphs (c) or (d) of this section with a showing which, in the opinion of the Commissioner, will justify so advancing it.

(b) Applications wherein the inventions are deemed of peculiar importance to some branch of the public service and the head of some

department of the Government requests immediate action for that reason, may be advanced for examination.

(c) A petition to make an application special may be filed without a fee if the basis for the petition is the applicant's age or health or that the invention will materially enhance the quality of the environment or materially contribute to the development or conservation of energy resources.

(d) A petition to make an application special on grounds other than those referred to in paragraph (c) of this section must be accompanied by the petition fee set forth in § 1.17(i).

New applications ordinarily are taken up for examination in the order of their effective United States filing dates. Certain exceptions are made by way of petitions to make special, which may be granted under the conditions set forth below.

I. MANUFACTURE

An application may be made special on the ground of prospective manufacture upon the filing of a petition accompanied by the fee under 37 CFR 1.17(i) and a statement by the applicant, assignee or an attorney/agent registered to practice before the PTO alleging:

(A) The possession by the prospective manufacturer of sufficient presently available capital (stating approximately the amount) and facilities (stating briefly the nature thereof) to manufacture the invention in quantity or that sufficient capital and facilities will be made available if a patent is granted;

If the prospective manufacturer is an individual, there must be a corroborating statement from some responsible party, as for example, an officer of a bank, showing that said individual has the required available capital to manufacture;

(B) That the prospective manufacturer will not manufacture, or will not increase present manufacture, unless certain that the patent will be granted;

(C) That the prospective manufacturer obligates himself, herself or itself, to manufacture the invention, in the United States or its possessions, in quantity immediately upon the allowance of claims or issuance of a patent which will protect the investment of capital and facilities; and

(D) That the applicant or assignee has made or caused to be made a careful and thorough search of the prior art, or has a good knowledge of the pertinent prior art.

Applicant must provide one copy of each of the references deemed most closely related to the subject matter